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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/473,604 12/29/99 GRIFFITH

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EXAMINER

MILORD, M

ART UNIT

PAPER NUMBER

2683

DATE MAILED:

11/21/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/473,604**

Applicant(s)  
**Griffith**

Examiner  
**Marceau Milord**

Group Art Unit  
**2683**



☒ Responsive to communication(s) filed on Dec 29, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-11 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-11 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2683

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thorne ( US Patent No 6021310) in view of Sebestyen (US Patent No 3976995).

Regarding claim 1, Thorne discloses a method of coupling a portable communications device (fig. 1) to a first network ( fig. 4 where elements 54 and 56 are connected to an outside network; col. 5, line 60- col. 6, line 6 ) by way of a second network ( fig. 4 where elements 48 and 34 are connected to PSTN which is a second network ; col. 5, line 63- col. 6, line 35), the PCD ( paging device 10 of fig. 1) normally in radio communication with the first network ( fig. 4), the PCD ( paging device 10 of fig. 1) being coupled to the first network by way of the second network ( col. 5, line 60- col. 6, line 65) ; establishing ( pager 10 in fig. 1 can establish contact with a base station ( not shown) by way of a network connector 48 such as PSTN, col. 5 , line 30- col. 6, line 35 ; an external computing network such as the internet ; for example the computerized paging device is able to receive and send e-mail messages and convert a received audio signal into a data signal , col. 8, lines 1-31) a network connection with the first network by

Art Unit: 2683

way of the second network ; and entering ( 34 of fig. 4 where a telephone line connection jack 34 is connected to the modem 48 for connection of the computerized paging device 10 to an external telephone line for wired telephone communication ) into communication with the first network by way of the second network ( col. 5, line 40- col. 6, line 35; col. 7, lines 4- 64).

However, Thorne does not specifically disclose the step of causing the PCD to leave the first network mode and enter a second network mode when the PCD is out of communication with the first network. On the other hand, Sebestyen from the same field of endeavor, discloses a pager that includes a message entry section in which the preceding display is used to present and edit the message prior to transmission either via an acoustic telephone link to a remote transmitter, or directly from a transmitter carried in the pager/encoder package ( see 702 and 706 of fig. 1, col. 2, lines 10-35; col. 2, line 47- col. 3, line 66). Sebestyen clearly shows that the pager 700 can communicate with a base transmitter when it is outside the coverage area ( figs. 1 and 2, col. 3, line 50- col. 6, line 42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the dual mode paging system of Sebestyen to the computerized paging device of Thorne in order to provide coverage for a two-way pager especially when the pager is outside the range of an associated telephone base station.

Claim 2 contains similar limitations addressed in claim 1, and therefore, is rejected under a similar rationale.

Regarding claim 3, Thorne as modified discloses a method wherein the pager is a two way pager ( figs. 1 and 4), and wherein entering into communication comprises entering into

Art Unit: 2683

two-way communication with the first network by way of the second network (col. 5, line 40- col. 6, line 35; col. 7, lines 4- 64).

Regarding claims 7 and 8, Thorne as applied to claim 1 above differs from claims 7 and 8 in that fails to disclose the steps of causing entering

Regarding claim 4, Thorne as applied to claim 1 above differs from claim 4 in that fails to disclose the steps of de-coupling the PCD from the second network upon ending communication therewith; and causing the PCD to leave the second network mode and enter the first network mode. However, Sebestyen from the same field of endeavor, discloses a pager that includes a message entry section in which the preceding display is used to present and edit the message prior to transmission either via an acoustic telephone link to a remote transmitter, or directly from a transmitter carried in the pager/encoder package ( see 702 and 706 of fig. 1, col. 2, lines 10-35; col. 2, line 47- col. 3, line 66). Sebestyen clearly shows that the pager 700 can communicate with a base transmitter when it is outside the coverage area ( figs. 1 and 2, col. 3, line 50- col. 6, line 42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the dual mode paging system of Sebestyen to the computerized paging device of Thorne in order to provide coverage for a two-way pager especially when the pager is outside the range of an associated telephone base station.

Regarding claims 5 and 6, Thorne as modified discloses a method ( figs. 1 and 4) wherein the PCD has a serial port (32 of fig. 2) wherein coupling the PCD to the second network comprises : placing the PCD into a cradle having a serial port connector ( 48 of fig. 4) and a

Art Unit: 2683

network connector ( 34 of fig. 4) so that the serial port of the pager ( 10 of fig. 1) coupled with the serial port connector of the cradle; and coupling the network connector of the cradle to the second network ( 48, 34 of fig. 4), and wherein de-coupling the PCD from the second network comprises removing the PCD from the cradle ( col. 5, line 30- col. 6, line 67).

Regarding claims 7 and 8, Thorne as applied to claim 1 above differs from claims 7 and 8 in that fails to disclose the steps of causing the PCD to enter the second network mode comprises causing the PCD to gain the attention of and establish control over a network communication device. However, Sebestyen from the same field of endeavor, discloses a pager that includes a message entry section in which the preceding display is used to present and edit the message prior to transmission either via an acoustic telephone link to a remote transmitter, or directly from a transmitter carried in the pager/encoder package ( see 702 and 706 of fig. 1, col. 2, lines 10-35; col. 2, line 47- col. 3, line 66). Sebestyen clearly shows that the pager 700 can communicate with a base transmitter when it is outside the coverage area ( figs. 1 and 2, col. 3, line 50- col. 6, line 42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the dual mode paging system of Sebestyen to the computerized paging device of Thorne in order to provide coverage for a two-way pager especially when the pager is outside the range of an associated telephone base station.

Claims 9-11 contain similar limitations addressed in respective claims 1-3 and 7, and therefore, are rejected under a similar rationale.

Art Unit: 2683

*Conclusion*

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Akhavan US Patent No 5920815 discloses a Personal Communication System using a Personal Phone Number associated with each portable subscriber station within the system.

Vanden Heuvel et al. US Patent No 5426424 discloses a selective call receiver for facilitating storage and presentation of a received selective call message.

Gallant et al. US Patent No 5802466 discloses a communication system including at least one mobile communication device having a message indicator device, and a voice mail messaging center.

LaPorta et al. US Patent No 5959543 discloses a system and method for two-way wireless messaging .

Siccardi et al. US Patent No 6115605 discloses a method and a system for establishing a communication channel between a first communication device, or alternatively, a communication network operator, and one or more second communication devices.

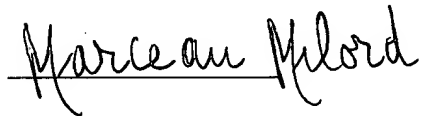
Beukema et al. US Patent No 6128510 discloses a cordless modem comprising a radio pair interfaced to a standard/fax modem which allows a user of a personal computer to wirelessly connect to a telephone line.

Art Unit: 2683

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marceau Milord whose telephone number is (703) 306-3023. The Examiner normally be reached on Monday through Friday from 7:30 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. The FAX phone number for this Group is (703) 308-5403.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.



MARCEAU MILORD

November 4, 2000

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
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